

## Message Text

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ACTION AF-06

INFO OCT-01 ISO-00 CIAE-00 DODE-00 INR-07 NSAE-00 PA-01

USIA-06 PRS-01 SP-02 COME-00 DOTE-00 EB-07 FMC-01

CG-00 OFA-01 DLOS-04 /037 W  
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R 151514Z AUG 75

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TO SECSTATE WASHDC 708

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E.O. 11652: N/A

TAGS: EWWT, BEXP, NI

SUBJECT: NIGERIAN PORT CONGESTION--NEW DIRECTIVES

1. THE MINISTRY OF TRANSPORT (MOT) HAS ISSUED A SERIES OF DIRECTIVES ON THE SAILINGS AND ARRIVALS OF VESSELS INTO NIGERIAN PORTS. THESE REGULATIONS BECAME EFFECTIVE AUGUST 18, 1975, AND MOT REQUESTS THAT ALL SHIPPING COMPANIES AND SHIPPING AGENTS OPERATING IN NIGERIA "ADVISE THEIR OVERSEAS PRINCIPALS" OF THESE DIRECTIVES. THE DIRECTIVES ARE AS FOLLOWS:

(1) ALL SHIPPING AGENTS MUST REGISTER WITH THE NIGERIAN PORTS AUTHORITY (NPA) BEFORE UNDERTAKING ACTIVITIES IN NIGERIA.

(2) ALL SHIPPING COMPANIES AND AGENTS MUST FURNISH THE NPA THE BELOW LISTED INFORMATION (BEGIN UNDERLINE) AT LEAST TWO MONTHS PRIOR TO THE DEPARTURE OF THEIR VESSELS FROM THE LOADING PORTS (END UNDERLINE).

(A) PORT OR PORTS OF SAILING AND ESTIMATED TIME OF DEPARTURE.

(B) PORT OR PORTS OF DISCHARGE IN NIGERIA.

(C) ESTIMATED DATES OF ARRIVAL IN NIGERIAN PORT OR PORTS.

(D) DETAILED INFORMATION ON THE TYPE OF CARGO TO BE IMPORTED INTO NIGERIA.

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(E) TOTAL DEAD WEIGHT OR FREIGHT TONNAGE OF THE

CARGO ABOARD INCOMING VESSELS TO BE IMPORTED INTO NIGERIA.

(F) LENGTH, BREADTH, AND DRAFT OF INCOMING VESSELS.

(3.) ON RECEIPT OF THIS ADVANCE INFORMATION, NPA WILL CO-ORDINATE ALL SAILINGS AND REGULATE THE ARRIVALS OF VESSELS IN NIGERIAN PORTS.

(4.) THIS ADVANCE INFORMATION WILL ENABLE NPA TO CONFIRM AND APPROVE SUCH SAILINGS OR, ALTERNATIVELY, ALTER AND FIX DATES MORE SUITABLE TO NPA.

(5) AFTER NPA CONFIRMS OR ALTERS THE DEPARTURE DATES OF INCOMING VESSELS, SHIPPING COMPANIES AND AGENTS WILL CONVEY THIS INFORMATION TO THEIR OVERSEAS PRINCIPALS WHO WILL THEN BE EXPECTED TO ARRANGE SAILINGS OF VESSELS FROM DEPARTURE PORTS SO AS TO ARRIVE AT NIGERIAN PORTS IN CONFORMANCE WITH NPA BOOKINGS.

2. A RECONSTITUTED PORTS OPERATION COMMITTEE IS TO BE CHARGED WITH THE RESPONSIBILITY OF ALLOCATING BERTHS TO SHIPS WITH CLEARANCE FROM NPA. THE COMMITTEE WILL BE COMPOSED OF OFFICIALS FROM THE NPA AND "SOME SHIPPING COMPANIES/AGENTS' REPRESENTATIVES" WHO WILL MEET EACH TUESDAY AND THURSDAY. THERE WILL ALSO BE A WEEKLY PUBLICATION ANNOUNCING ESTIMATED DATES OF ARRIVAL OF VESSELS IN NIGERIAN PORTS AND INDICATING THEIR ASSIGNED BERTHS. THE FAILURE OF ANY SHIPPING COMPANY OR AGENT TO COMPLY WITH THESE DIRECTIVES WILL RESULT IN NPA REFUSING SERVICE TO THEIR VESSELS. IN ADDITION, "UNTIL THE PROBLEM OF PORTS CONGESTION IS RESOLVED," THE MINISTRY OF FINANCE HAS BEEN REQUESTED TO "REGULATE THE PROCESS BY WHICH IT PROVIDES AUTOMATIC FOREIGN EXCHANGE COVERS" TO PRIVATE SHIP CHARTERERS. ALL INQUIRIES ABOUT THESE DIRECTIVES SHOULD BE FORWARDED TO THE PORT MONAGER OF THE APPROPRIATE NIGERIAN PORT, MOT STATES.

3. COMMENT: PRIVATE SHIPPING COMPANIES AND AGENTS OPERATING OUT OF LAGOS (PALM LINES, UMARCO, FARRELL LINES) DO NOT YET HAVE A FEEL OF PRECISELY HOW THESE DIRECTIVES WILL AFFECT THEIR OPERATIONS. THEY HAVE BEEN ENCOURAGED, HOWEVER, THAT THE NEW MOHAMMED REGIMJ WILL NOT RPT NOT RENEGE ON PREVIOUS PRIORITY BERTHING ARRANGEMENTS AND THAT LIMITED OFFICIAL USE

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THESE AGREEMENTS WILL CONTINUE AS BEFORE APPARENTLY WITH LITTLE MODIFICATION BY THE NEW DIRECTIVES. THERE HAS BEEN SOME DISCUSSION THAT NPA WILL DESIGNATE FOUR BERTHS AS BERTHS RESERVED FOR CEMENT CARGOES. NO ONE SEEMS TO KNOW WHAT WILL BE THE COMPOSITION OR AUTHORITY OF THE NEW PORTS OPERATION COMMITTEE, DECISIONS WHICH PROBABLY HAVE NOT YET BEEN MADE BY NPA.

4. THIS SERIES OF DIRECTIVES REPRESENTS A CONCERTED EFFORT BY THE NEW REGIME TO TAKE DECISIVE STEPS TO COMBAY PORT CONGESTION. ALTHOUGH, WITHOUT A DOUBT, SNAGS WILL DEVELOP IN IMPLEMENTATION, THE SYSTEM SHOULD GIVE THE FMG A NEW ABILITY CONTROL THE FLOW OF SHIPS TO NIGERIA AND THEREBY ACCORD PRIORITY TO DESIGNATED CARGOES. ANY SHORT RUN EFFORT TO DECONGEST PORTS WILL HAVE THE INEVITABLE RESULT OF REDUCING THE VOLUME OF CARGO ARRIVING, AND THE ORDINARY NON-PRIORITY IMPORTER WILL LIKELY FACE ADDITIONAL DELAYS IN RECEIVING MATERIAL FROM OVERSEAS. A SIGNIFICANT DROP IN THE AMOUNT OF ARRIVING CARGO WHICH PERSISTS OVER TIME WILL ALSO ADVERSELY AFFECT FULFILLMENT OF THIRD NATIONAL DEVELOPMENT PLAN GOALS. BUT WITH 320 SHIPS NOW WAITING OFF LAGOS INCURRING HUGE DEMURRAGE CHARGES, THERE IS A COMPELLING NEED FOR BOLD ACTION OF SOME KIND, AND THIS PLAN, TOGETHER WITH OTHER INTERIM MEASURES BEING TAKEN TO IMPORVE EFFICIENCY COULD REDUCE DRAMATICALLY THE NUMBER OF WAITING SHIPS. THE LONGER-RANGE PROBLEM OF INSUFFICIENT CAPACITY OF THE PORTS WILL REMAIN, HOWEVER, UNTIL THE PORTS ARE EXPANDED AND FACILITIES MODERNIZED.

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